S/N 09/509,462

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

BKAILY ET AL.

JULY 20, 2000

Examiner:

E. PESELEV

Serial No .:

09/509,462

Group Art Unit:

1623

9555.97USWO

Filed: Title:

Docket No.: SPECIFIC STEADY-STATE R-TYPE CA2+ CHANNEL BLOCKERS AND

USE THEREOF

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: BOX AF, Commissioner for Patents, Washington, D.C. 20231, on May 7, 2002.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

BOX AF Commissioner for Patents Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final rejection of claims 1-40 of the above-identified application, as set forth in the Office Action mailed November 7, 2001.

Our check in the amount of \$160.00 is enclosed to cover the required fee for filing this Notice of Appeal as set forth under 37 C.F.R. § 1.17(b).

Also enclosed is a Petition for three-month extension of time to respond to the final rejection, thereby extending said period of response from February 7, 2002 to May 7, 2002. Our check in the amount of \$460.00 is enclosed to cover the required extension fee for small entity.

05/21/2002 AWONDAF1 00000101 09509462

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160.00 OP

Please che ge any additional fees or credit any overpayment to Merchant & Gou P.C.,

Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.

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Date:

Gregory A. Sebald

Reg. No. 33,280

GAS:PSTkaw

PATENT TRADEMARK OFFICE